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DIVISION

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US PATENT & TRADEMARK
OFFICE

Docket No.: SON-1908/DIV
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takeshi Nogami et al.

Application No.: 10/759,194

Confirmation No.: 7751

Filed: January 20, 2004

Art Unit: 2823

For: METHOD FOR PRODUCING
SEMICONDUCTOR DEVICE, POLISHING
APPARATUS, AND POLISHING METHOD

Examiner: F. L. Toledo

REQUEST FOR REFUND

MAIL STOP 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Refund Section, Accounting Division, Office of Finance

Dear Sir:

INTRODUCTORY COMMENTS

This is a request for a refund of the fees paid in the above-identified application on June 9, 2006 in the amount of \$830.00. Any request for refund must be filed within two years from the date the fee was paid. 37 C.F.R. §1.26(b).

Accordingly, this Request is proper.

May 9, 2006 - A Notice of Appeal has been filed in the above-identified application on May 9, 2006. A copy of the Notice of Appeal of May 9, 2006 found on the website for the U.S. Patent and Trademark Office (USPTO) reveals a fee code of 1401 and an amount of \$500.00. Fee

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code 1401 is typically associated with the payment for the filing of a Notice of Appeal. 37 C.F.R. § 41.20(b)(1).

A copy of Notice of Appeal of May 9, 2006 found on the website for the U.S. Patent and Trademark Office (USPTO) is provided along with this Request as ATTACHMENT A.

June 9, 2006 - A Notice of Appeal has been filed in the above-identified application on June 9, 2006 along with a Request for Panel Review and a Two-Month Extension of Time.

A copy of the Notice of Appeal of June 9, 2006 found on the website for the USPTO reveals a fee code of 1401 and an amount of \$500.00. Fee code 1401 is typically associated with the payment for the filing of a Notice of Appeal. 37 C.F.R. §41.20(b)(1).

A copy of Notice of Appeal of June 9, 2006 found on the website for the USPTO is provided along with this Request as ATTACHMENT B.

A copy of the Two-Month Extension of Time of June 9, 2006 found on the website for the USPTO reveals a fee code of 1252 and an amount of \$450.00. Fee code 1252 is typically associated with the payment for the filing of an Extension for response within second month. 37 C.F.R. §1.17(a)(2).

A copy of the Two-Month Extension of Time of June 9, 2006 found on the website for the USPTO is provided along with this Request as ATTACHMENT C.

July 28, 2006 - The Office Communication mailed on July 28, 2006 in response to the Request for Panel Review of June 9, 2006. The Office Communication includes an indication that the Request for Panel Review has been filed separate from the Notice of Appeal of May 9, 2006 and refused a Pre-Appeal Conference as a result.

August 9, 2006 - USPTO practice and procedure require the filing of an Appeal Brief within two months from the Notice of Appeal filing date of May 9, 2006. 37 C.F.R. §41.37(a)(1).

Here, an Appeal Brief due on July 9, 2006, within two months from the date of filing the Notice of Appeal of May 9, 2006, has been filed within the first extended month on August 9, 2006.

A petition and fee must be filed within the extended time period for reply requested in the petition and can be filed prior to, with, or without the reply. M.P.E.P. §710.02(e).

Whereas a One-Month Extension of Time would have been normally due in this instance to perfect the filing of the Appeal Brief, a Two-Month Extension of Time has been filed on June 9, 2006.

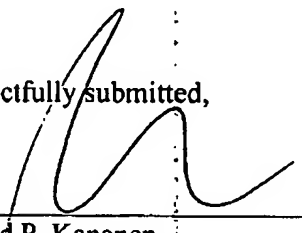
Relief - Upon the instant Request and in view of the evidence submitted, an amount of **\$500.00** as the fee paid for the Notice of Appeal of June 9, 2006 is respectfully requested.

The extension fee for reply within first month is \$120.00. 37 C.F.R. §1.17(a)(1). Upon the instant Request and in view of the evidence submitted, an amount of **\$330.00** as the difference in fees paid between in an extension for reply within *first month* and an extension for reply within *second month* is additionally requested.

Fees - No fee is believed required to support the instant Request. If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: August 9, 2006

Respectfully submitted,

By 
Ronald P. Kananen
Registration No.: 24,104
RADER, FISHMAN & GRAUER PLLC
Correspondence Customer Number: 23353
Attorney for Applicant

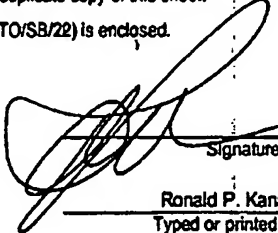


ATTACHMENT A



ATZ

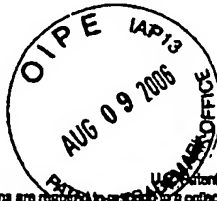
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) SON-1908/DIV	
In re Application of Takeshi Nogami, et al			
Application Number 10/759,194 Conf. #7751		Filed January 20, 2004	
For METHOD FOR PRODUCING SEMICONDUCTOR DEVICE, POLISHING APPARATUS, AND POLISHING METHOD			
Art Unit 2823		Examiner Fernando L. Toledo	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ 500.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 18-0013. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.135(a) (PTO/SB/22) is enclosed.			
I am the			
<input type="checkbox"/> applicant/inventor.		 Signature Ronald P. Kananen Typed or printed name	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)			
<input type="checkbox"/> attorney or agent of record. Registration number			
<input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. 24,104		(202) 955-3750 Telephone number May 9, 2006 Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> *Total of 1 forms are submitted.		85/10/2006 JADD01 00000020 100013 10759194 82 FG:1401 500.00 00	

Application No. 10/759,194

Docket No.: SON-1908/DIV

ATTACHMENT B

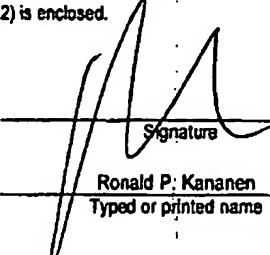


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06/13/2006 HALL11 00000021 180013 10759194

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Application No. 10/759,194

Docket No.: SON-1908/DIV

ATTACHMENT C



PTO/SB/22 (12-04)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) SON-1908/DIV	
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Art Unit 2823		Examiner F. L. Toledo	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
		<u>Fee</u>	<u>Small Entity Fee</u>
<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$120	\$60
<input checked="" type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$450	\$225
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$1020	\$510
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1590	\$795
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$2160	\$1080
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
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<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>18-0013</u> . I have enclosed a duplicate copy of this sheet.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.			
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/06).			
<input type="checkbox"/> attorney or agent of record. Registration Number _____			
<input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34.			
Registration number if acting under 37 CFR 1.34 <u>24,104</u>			
_____ Signature		_____ Date	
_____ Typed or printed name		_____ Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of <u>1</u> forms are submitted.			

06/13/2006 HRLI11 00000022 180013 10759194
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06/13/2006 HALI11 00000022 180013 10759194

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Adjustment date: 08/29/2006 SFELEKE1
06/13/2006 HALI11 00000022 180013 10759194
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08/29/2006 SFELEKE1 00000003 180013

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Registration number

☒ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. 24,104

Signature

Ronald P. Kananen
Typed or printed name

(202) 955-3750

Telephone number

June 9, 2006

Date

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06/13/2006-HAL111-00000021-180013-10759194-

01-FC:1401-500.00-DA-

Adjustment date: 08/29/2006 SFELEK1 10759194
06/13/2006 HAL111 00000021 180013
01 FC:1401 500.00 CR

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